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ARST ARREST IN NEW DYNAMITE PROSECUTION

Isrence A. Dowd Taken Into Custody Under Indictment Found in Indianapolis.

from Workers and R. H. Houliban Are to Be Taken.

e machinists' union, was arrested here of the union. his afternoon by United States Deputy Marshal Fred O. Viehmann on a warrant one from one State to another.

He was taken to the Monroe county jail,

during the dynamiting outrages. powd will have a hearing before United McManigal, as it was at that time that the States Commissioner E. C. Smith to- Detroit "big plot" was brewing He came to Rochester on Janu-

Dowd is a native of Mansfield, Ohio. were contained in the warrant.

ames Wilson of Cincinnati, general rganizer of the Pattern Makers Association, was in Rochester to-night. He said that he worked with Dowd in Toledo. Detroit and Pittsburg and would vouch for his innocence.

CHICAGO, Feb. 13.-It became known c-day that warrants have been issued for Frank M. Ryan, president of the International Bridge and Structural Iron Workers, and R. H. Houlihan, financial seretary of the Chicago local of that organization, among others indicted by he Indianapolis Grand Jury. Much secreey surrounded the issuance of the varrants. However it was learned that the certified copies of the indictments rearned by the Grand Jury reached Chicago as: Saturday afternoon. It also was eported at the Federal building that varrants for the arrest of five other cagoans have been issued. It is said at Chicago's share of the indictments as ten, against seven individuals.

INDIAN APOLIS. Feb. 13 - The news of arrest of Clarence Dowd, business igent of the machinists' union in Roches-N. Y., and of the issue of warrants at hicago for President Ryan of the Interational Association of Bridge and Strucral Iron Workers and R. H. Houliban of the local Chicago union came as a grea surprise to the Federal officials here

It was arranged to make all the arrests stand how instructions could have been misunderstood.

either to Chicago or Rochester and Bran-

served very soon.

resident Ryan is here and has been at resi be office of the ironworkers continuously ested and refused to comment further (and Houlihan would be the first two it worthless. en taken into custody by United States uty marshals.

"I know no more about the action of Federal Grand Jury than you do. "These stories that Houlihan and I were to be indicted were circulated and Chicago two weeks ago.

uring the week Ryan has spent most f his time in the rooms of the executive ward at the ironworkers' headquarters the American Central Life Building. requently he has remained in the office ate in the evening after Herbert S. Hockin. -cretary-treasurer, and the two stenog-

Ryan travelled a good deal in his cawity as head of the organizing forces the union and in so doing, it is charged, ame into contact with practically all the district leaders of the conspiracy. It is aid to be charged that he often consulted with these district leaders concerning conlone in their districts and concerning advisability of "helping them out Correspondbetween McNamara and Ryan and ween Ryan and others, as well as letother members of the conspiracy to McNamara, are alleged to show that Ryan kept his finger on opera-

at all times in was president of the union whose repriated the \$1,000 a month McNamara for "organizing purthis being the fund from which thamiting expenses incurred by intional headquarters were paid. He signed checks for dynamiting exit is charged. The inception of amite plots was almost coincident

livan's elevation to the presidency irst explosion was in the summer Only two explosions are listed he tall of 1905, when Ryan suc-Buchanan of Chicago as Buchanan is now a member

Prior to becoming presi-in had been business agent of age locan union No. 1 for several after an operation for mastoiditis. ivan had been business agent of he was one of the prominent ironof the country even before 1901 266 the different central organizations, Apply 261 Fifth Av., cor 29th St. Ade.

together and formed the International Association of Bridge and Structural Iron Workers which had sprung up among them came Workers.

Ryan is 57 years old and is a native of Providence, R. I. He has been an ironworker for thirty-eight years, his first work at the trade having been done on Predicts End of Government if It the Eads Bridge at St. Louis. Prior to that time he had been an apprenticed moulder. An out of the ordinary habit of Ryan is said to be responsible for the existence of considerable damaging evi-

MORE ARRESTS TO-MORROW dence against bim. Rvan is known to COMPETITION THE ONLY PLAN be a man who does not dictate letters o stenographers, but prefers to sit down sported That President Ryan of the with a pencil and write them out, giving Railroad Man Tells Stanley Steel Comthem later to stenographers to be typewritten. It is said that in the files of J. J. Mc Namara were found many of these original letters in Ryan's handwriting, the ROCHESTER, N. Y., Feb. 13. - Clarence letters Ryan wrote having been carefully bowd of this city, business agent of filed away as part of the correspondence

C. E. Dowd of Rochester, N. Y., is a business agent of the machinists' local in that city and has served as a general harging him with assisting in unlaw- organizer for the International Associatransporting dynamite and nitro- tion of Machinists. His connection with the dynamite conspiracy is said to have hand was just under arrest at the head-begun while he was in Detroit at a time lated within certain defined limitations, type. For this reason the house is one of grees of the union in Reynolds Areade. When there were labor troubles on in that city. It was planned to blow up numerous plants and buildings of employers of nonunion labor in Detroit, and it is charged is is said that his arrest grew out of the that Dowd, who was looking after the rigation of the dynamiting cases interests of the machinists in that locality. is and that the warrant was became engaged in the dynamiting plots ss ed as the result of an indictment with several other men. His chief cond by the Federal Grand Jury in that | nection with the plots is said to have been it is said that Dowd was a union learly in 1911, only a short time prior

There were many explosions ary t and became the business agent of neighborhood of Rochester, N. Y., Dowd's storm corporation" in this country had of August Schmid, from whom she inham achimists' union, replacing William home, during the course of the dynamite ever been successful. conspiracy, but so far as can be learned No details of the charges against Dowd dence the Government has in its possession as the law of the survival of the fittest

Dowd is charged with complicity in them. active force forever. CINCINNATI, Feb. 13. Three warrants Grand Jury at Indianapolis in the dyna- observations on the subject at the close that his widow purchased the Fifth ave miting investigation.

apolis probers. Eckhoff was thought to stand when Representative Beali of Texas. be the most valuable witness for the a Democrat, asked him: prosecution, but before he got to Los Augeles to testify the McNamara brothers have told us that the age of competition Total Net Increase in the Greater City Is

incimati.

being kept a secret St. Louis, Mo., Feb. 13. -Two St. Louis

NOT SICK ENGINEER'S FRIEND, would soon be no Federal Covernment."

After Arrest Blunder.

Thomas Murray of 118 West Fiftyof persons indicted by the Federal Grand leighth street, who was arrested on Januamorning and the officials do not undershelped Dotald Persch and others get dismembered, unable to check such a 25 as the "Bank Clerk" Murray who \$15,000 from William E. Shirks of Springfield, Miss., by means of the sick engineer ernment last under such circumstances? United States District Attorney Miller game, was discharged from custody yesthat no information would be given wrong Murray. Marray, who is with the that he would let corporations flourish that no information would be given to be the state of the the arrests. He would not deny that been out on \$10,000 bail. With his attor-

by was also reported that the District "I am very sorry," said Assistant Dis. Attorney had said that there would be trict Attorney Nott yesterday in moving world, did you not?" asked Representato mean that all the warrants under mistake has been made. As the reprere arrests to-morrow. That was under- for the release of Murray, "that such a be Indianapolis indictment would be sentative of the District Attorney I express great regret at Mr. Murray's ar-

Murray was arrested by Detective or several days. He said he did not see Busby. A bench warrant had been issued y a warrant should be issued for him for "Thomas Murray," who represented bicago when it was known that he was to Mr. Shinks, the complainant, that in Ryan refused to say whether or the bank where he worked he had overart he has made preparations to furnish heard a conversation between financiers and in the event that he should be ar- to the effect that Chelan Consolidated opper stock was going up very soon

PASTED PAPER ON THE DOOR.

Waldorf Detective Tells of Hotel Custom in Jones Divorce Suit.

Supreme Court Justice Newburge granted a final decree of divorce yesterday to Stewart H. Jones, president of the Canadian Bronze Company, from Eleanor . Jones and gave him the custody of their three-year-old son. The charges against Mrs. Jones involved misconduct at the Waldorf-Astoria, where Mrs. Jones lived with her husband for several years. Court, Fifty-eighth street and Seventh

One of the corespondents named was a the United States and now Minister to saw Portela, who also had rooms in the hotel, go to Mrs. Jones's apartment early in the evening. He watched for several hours and then pasted a sheet of paper across the door so that if it were opened the paper would be torn. The detective said this was the custom at the hotel when the management wants to find out whether any one enters or leaves a certain room. Thornhill went back the next morning and the paper was undisturbed.

A maid employed by Mrs. Jones in the Alwyn Court said that one night she was sent out to meet the other corespondent, J. Leopold Brodie, or Braude. He gave her a black wig and Mrs. Jones put on the wig, one of the maid's dresses and her hat and then went down the rear elevator to the servants' entrance. There Brodie to the servants' entrance. There Brodie made a good deal. We are not wearing met her and she didn't return for some bours. The maid said that when Mrs. Jones came back she said she had been to the circus and that she disguised herbegging." self because she knew her husband was

The maid testified that Mrs. Jones sailed

SOUTHERN RAILWAY.

RUIN, WARNS J. J. HILL

Tries to Control Cost of Living.

mittee Corporations Are Not a Menace.

ernment ever attempted to control busi- mail vote of the members the plan is said ness to the extent of fixing prices it would be the beginning of the end of this Governnor the integrity of the Government.

He took sharp issue with the recomnegie, George W. Perkins and others stronghold. prominent in the financial world that laws should be passed providing for Govermment supervision over interstate in 1903. She also owns the vacant lot the arrest of the McNamaras and corporations to the extent of fixing either adjoining on Fifth avenue, which with condition permitted. maximum or minimum prices. He ins the site of the mansion fronts 50 feet on sisted that with the possible exception. Fifth avenue, in the of the Standard Oil Company "no over

these were on account of troubles of the operated, and he predicted that that law Schmid Murray, in May, 1909, at about ironworkers and it is not believed that would in all probability continue as an the time of her marriage to Prince Don Hoboken.

have been received in Cincinnati for the views relative to governmental control Spain arrest of men indicted by the Federal of corporations. He made a few random of a five hour hearing before the Stanley nue home. She occupied it for a time Since the indictments were returned committee, which had summoned him and then took apartments at a hotel, erest has centred in Cincinnati, the to testify relative to the alleged comhome of the Mt Namaras and also the munion of interest between the Hill she was in this country. home of Frank Eckhoff, who was one of interests and the United States Steel Cor- a few days ago. leading witnesses before the Indian- poration. He was about to quit the

"Judge Gary, Mr. Carnegie and others has passed, that the time is not far dis-E khom is said to have told what he tant when some agency or government must be established for the closest kind of regulation, including the power to fix The names in the indictments are still prices. What is your opinion about

"The age of competition has not passed." labor leaders are under surveillance and replied Mr. Hill. "It will not pass until are to be arrested to-morrow on Federal you eliminate the selfish motives that will go to the Board of Aldermen on dynamite indictments returned at Indian- move men in this world. If the Federal March 1. Government should undertake the sort of regulation that you suggest there

"Suppose," suggested Chairman Stan-Thomas Murray Hocorably Discharged ley, "that you and other financiers came of decreases on account of exemptions industry in this country and were allowed to run it without restriction and the rest of society, including labor, became combination, how long would the Gov-

> "I think it would last about a week," The railroad builder went

"Do not fear them on account of their cord. Ryan and Houliban had been in- bey he went to Springfield and Ur. Shinks capitalize. When they put a dollar into

"You tried to organize the railroad Company by decree of the United States From Skaters Who Attended the Dirigo's

Supreme Court. Mr. Hill smiled broadly.

"I do not think it is within the power of man to eliminate competition." Mr. cease to be a material people we may towing. of the Chicago story which asserted that Mr. Shinks invested in Chelan and found get on without competition. Competition

value-of more value now than when ship. the Steel Corporation.

Referring to the statement contained Francisco in the report of the Commissioner of Corporations that these ores were worth little more than 13 cents a ton Mr. and also in her apartments in the Alwyn Hill said the report was so far away from the fact that he had not had patience to read it. He declared in substance that the charge of the Commissioner son of Senor Epifiane Portela, former of Corporations that the alleged over-Minister from the Argentine Republic to capitalization of the Steel Corporation was based on arbitrarily high valuations Italy. Francis W. Thornhill, a detective fixed on the Hill ores was too absurd head while with his regiment, which was at the Waldorf-Astoria, testified that he for discussion. He insisted the ore was proceeding to Luzon for maneuvres worth 85 cents a ton when the mines were leased to the corporation and that heir value had since been enhanced by as to details.

ncreased production. It has been intimated on a number of occasions in the course of the Stanley investigation that J. P. Morgan, acting in conjunction with Mr. Hill, had forced the Steel Corporation to take the Hill leases. Mr. Hill denied this assertion in the most positive terms.

"I never heard of such a thing," he said. The negotiations were carried on in the main with Judge Gary. He and all others concerned were satisfied with the terms offered. I did not run after them. They made a good deal. We are not wearing begging.

A question asked by Chairman Stanley implied that the Steel Corporation had before 1890.

Continued on Fourth Page

OUICKEST ROUTE TO MIAMI, NASSAU AND HAVANA BY 2 HOURS. Atlantic Coast Line. "N. V. & Florida Special." 126 P. M. 3 other trains Dally 1218 Eway.

JEWELS FOR PRINCESS'S HOME? MORSE GOES TO EUROPE; Princess Del Drago Sells House -- Jeweller

Buyer, Says One Report. Contracts were signed yesterday for he sale of the former residence of the

Princess del Prago, once Mrs. Josephine Schmid, at so? Fifth avenue, south corner Ex-Banker Pardoned by Taft States Casualty Company for an injunc of Sixty-second street. The name of the buyer was not learned, though one report had him a real estate operator and the other a well known lifth avenue jeweller, who, the statement said, gave no cash but diamonds and pearls in payment. Coorgo F. Mott attorney for the Princess said this was not so. He said title would be taken in the name of another than the real buyer and that the new owner is not well known socially, nor would be occupy the house.

Quite recently the Knickerbocker Club, WASHINGTON, Feb. 13 James J. Hill now at Fifth avenue and Thirty-second told the Stanley steel investigating com- street, considered parchasing the property Morse, his son, and a trained nurse slipped by pretending to be a branch of the plain mittee to-day that if the Federal Gov- as a site for a new clubbouse, but by a out of the Morse apartments on Fifty- tiff's office, and the plaint ff's business

to have been disapproved. The house is five stories high and covers plot 25 feet on the avenue and 100 feet ment. The railroad man declared that deep. It is of the French style of archi- Victoria, which sails for the Mediterranean corporate combination, properly regul- tecture, an adaptation from the château menaced neither the welfare of the people the most conspicuous on upper Fifth avenue, facing Central Park. At the Fifth avenue corner of the building is a round mendations of E. H. Gary, Andrew Car- which gives it the appearance of a feudal and he was wheeled through the Penn- Living-tone, who died in May, 1911, was tower surmounted by a cone shape top.

The entrance to the house is on Sixty-

Princess del Drago bought the property

The Princess del Drago is the widow transferred to her daughter. Pauline Giovanni dei Drago of Rome. The Prince Mr. Hill did not dwell at length on his is a distant relative of King Alfonso of

> It was shortly after Mr. Schmid's death where she has stayed most of the time

ASSESSMENT FIGURES.

Only \$4,300,000, the Mayor Learns.

President Lawson Purdy of the Depart ment of Taxes sent yesterday to Mayor Gaynor a record of the real estate valuwhich were closed on January 31 last. These figures will be used for the purpose of preparing the assessment rolls, which

The appended table which Mr. Purdy has had compiled shows totals of increases n the assessed value of real estate, exclusive of special franchises, and totals exercise complete domination over and reductions. It also gives the net

	merease:			
a.		Increase	Decrease	Net
	Manhattan	\$72,600,000	\$28,3(0) (00)	344.3
	Brons.	19.940 (424	5.(88),(88)	11.9
	Brooklyn	27.230.(**)	26,500 000	1
1	Chiccia	13,7487,(XX)	1,640,000	11.5
-				
10				\$71.5
	Hielmond, decrease		1.3	

increased borrowing capacity this year property see to it that it is a hundred cent for public improvements will be only him any good. Mr. Morse's physician men pleaded guilty and were fined.

Progress Through Ice.

The Daizell tugboats Dalzelline and "I was in a tight place then," he said; Raymond took the four masted steel but you know what happened in that clipper Dirigo to South Amboy yesterday so she might get a cargo of anthracite for the Pacific coast. Raritan Bay was frozen over and the Dalzelline had to act as an Hill added a moment later. "When we icebreaker while the kaymond did the

Alongside the channel forced open by is just as much a law of trade now as it the Dalzelline were hundreds of skaters and they became much interested in the The committee wanted to discuss the tall sparred Yankee clipper. They account question further with Mr. Hill, but he panied her all the way to South Amboy indicated that he did not care to amplify cheering her at times. It was the first time in many years that a four masted allege or the amount of the suit. Mr. Hill's testimony covered a wide American ship had been seen in the neigh range. He insisted that the Hill ores borhood of the Amboys. Some of the in the Mesaba country were of great skaters almost touched the sides of the She will load soft coal later at they were taken over under lease by Baltimore when Chesapeake Bay thaws out and will sail, maybe in March, for San

ARMY LIEUTENANT A SUICIDE.

Reynolds Powers Shoots Himself Through

the Head During Philippine Manguvres. MANUA, Feb. 13. Lieut. Revnolds Powers of the Eighth Cavalry has killed himself. He shot himself through the

beginning Wednesday. The reports of the tragedy are meagr

the Military Academy of Alabama.

TO PENSION EX-CONFEDERATES.

Kentucky Senate Passes a Bill to Give 810 a Month.

FRANKFORT, Ky., Feb. 13. By a vote of 30 to 0 the Senate of the Kentucky General Assembly to-day passed a bill providing for a pension of \$10 a month for each indigent Confederate soldier. There is also a clause in the measure which gives the widows a like sum provided that their marriage took place before 1890. The bill, if passed by the At the final 1

House, will entail an expense of \$120,000 a cinnati and Columbus women appeared MAILLARD'S BREAKFAST COCOA

preventive against cold weather ills. Adv. BONDS & STOCK CERTIFICATES
Engraved and printed by Coriles, Many & Co.:
loc. 40 John Succt. Pstablished 1857.—Adv.

DOCTOR NOT WITH HIM

Boards Kaiserin Auguste Victoria-Sails To-day.

WIFE AND NURSE IN PARTY

Will Cruise in the Mediterranean. Then Bask in Sunshine of the Riviera. It Is Said.

eighth street at 8 o'clock last night and is thereby diverted. The complaint asks went across the river to board the Ham- an injunction restraining the telephone burg-American liner Kaiserin Auguste nue concern's number in the directory. at 10 o'clock this morning

Morse came to town last Thursday after tence from the Federal prison at Atlanta, where he had been since January 1, 1910, eylvania Station in a cloud of smoke from ground that the appraiser estimated 2,000 popping flashlights. His wife has said all shares of Southern Railway stock at \$61 a along that they would go abroad, prob- share, whereas the value was only \$27 a ably to Bad Nauheim, when her husband's share. The new appraisal was filed yes-

No one was around to see the Morse estate \$5,807,818. family leave last night. Tickets for the cruise had been purchased by young Morse mond, a son-in-law of the testator, will in the morning. A big automobile came receive \$99,500, while his wife, Estella, gets of August Schmid, from whom she in-herited principal ownership in the Lion at 127 West Fifty-eighth street. Mr. the Countess de Langier Villars, receives seem to be merely around the corner conspiracy, but so far as can be learned in advance of the disclosure of the evis petition in business would prevail as long value. Much of the real property she lowed, and the machine whirled downtown JOHNSON'S NO SMOKING SCOUTS tence in prison Gov. Dix has cut through bound for the Christopher street ferry to

At the apartments all inquirers were old that the Morses had gone to Atlantic City for a few days.

The next heard of them was when the hangerson at the Hamburg-American docks at Hoboken saw a man in a wheel chair being taken from an automobile and wheeled up the gangplank for first cabin passengers aboard the big Kaiserin Auguste Victoria, which was all astir with preparations for departure this arrest. morning. With him were a woman, a young man and a trained nurse. Mr. Morse's son, it is understood, however,

will not accompany his parents. No one on the ship would admit last night that the banker was aboard and his name was not down on the passenger lists. Morse doesn't want any more flashlight experience.

The Kaiserin is making a special Mediterranean cruise. The twin screw liner, one of the most luxurious of the Hamburg-American ships, stops first at Madeira, then she touches at Gibraltar, then Aigiers and Villefranche. It is here in all probability that the Morses will leave the ship, for in the sunshine of the Riviera the banker hopes to get back some of his vitality.

It is understood that Dr. A. L. Fowler, Atlanta, is not going with the banker. while Allen was testifying before the 570,200,000 to the Fifty-eighth street apartments to pena was served on Allen in an action besee Morse and has given out word that his gun against him in the State court by

as not to require his services. as to the proper treatment for Mr. Morse serve process on him.

on the trip Thomas Nelson Page, Gen. C. D. Me- SHOT CHANGED DIVORCE SUIT. Dougall, Louis C. Tiffany, Dr. T. Calvin be some of those who will sail the Mediter anean with Morse

Meantime the New York Assets Comthe firm of Otto Heinze & Co., led a summons in the Supreme Court vesterday in a suit against Morse. The summons was served on Morse at the Pennsylvania Station the day he returned from the South. The suit arises out of in the panic of 1907, but Ferdinand E. M.

Strike Children's Attendance There Will

The children of the Lawrence strikers divorce. who were brought here on Saturday and are of school age are to be sent to the pub- months Mrs. Marstin occupied a \$200 a lic school. James F. Rorke and George Williams, attendance officers, have been detailed by Edward B. Shallow, associate operintendent of schools, to see that the hildren attend school while they are ere after to-morrow. Rorke and Williams called yesterday at the headquarters of the Italian Socialist Federation and the and the strict frederation and the made trial Workers of the World and got a promise of a list of families which have taken charge of the children.

Mr. Shallow said Vesterday that he

Arc Smallow said yesterday that he would not stand for children who should be at school being exploited and paraded through the city in winter weather. "The moral environment of these children will Reynolds J. Powers was a Second Lieutenant of the Eighth Cavairy, which rank he obtained on June 11, 1903. He was born in Tennessee December 6, 1879, we will call the attention of the Gerry we will call the attention of the Gerry society. Two of the children were put to school to-day in Public School 30, Eighty-eighth street near Third avenue. The officers reported that the surroundings where they lived were satisfactory."

FOR WOMAN SUFFRAGE IN OHIO.

ommittee Reports Favorably to the Cou-

stitutional Convention. COLUMBUS, Ohio, Feb. 13 - By a vote

If you wish stylish eyeglasses see new Kryptol, and Toric Pebble, at Spencer's, 7 Maiden Land

SUIT OVER A PHONE NUMBER. Casualty Company Would Enjoin Printing

of Namesake's Wire Address. The first suit to be brought here over telephone number was filed in the Supreme Court yesterday by the United tion against the New York Telephone

Company. The complaint recites that the plainting He Directs Justice Gerard to has had its office for many years at 141 Broadway and uses the number 6772 Cortlandt. In the last telephone directory appeared the plaintiff's name and number, but directly underneath it was the same name, the address 286 Fifth avenue and telephone number 8045 Madi- PRISONER IN THE TOMBS

son Square. The plaintiff states that the Madison Square number is used by some person Charles W. Morse, his wife, Harry F. or persons who are enabled to profit company from publishing the Fifth ave-

LIVINGSTONE ESTATE \$5,807,818.

President Taft had commuted his sen- Two Daughters, One a Countess, Will Divide All But \$10.500.

> A reappraisal of the estate of Johnson terday and makes the total value of the

Will Spot Moving Picture Show Owners Whose Patrons Smoke

Fire Commissioner Johnson has taken another step in his fire prevention campaign by notifying the proprietors of all the moving picture houses in the city to prevent smoking on their premises. Inspectors from the Fire Prevention Bureau have been serving notices for five days past and threatening all violators with

Inspectors have been instructed to keep a close watch on the moving picture it. The Attorney-General wanted Brandt's shows to see that the no smoking orders pardon issued immediately. The Govare lived up to strictly. In dealing di- ernor, greatly disturbed, consented to rectly with the proprietors and holding them responsible for any smoking on the premises the Commissioner believes that effective fire prevention can be accomplished. A scout squad of fire prevention inspectors has been organized. Each is assigned to a district with orders

MRS. JENKINS LOSES IN COURT.

Judge Quashes Subporna Against Allen

Because He Was Jury Witness at Time. The subpena served last October on Nathan Allen, the Kenosha, Wis., leather who accompanied Morse to this city from manufacturer, in the Federal Building proceedings and ordered the man brought for the last few days Dr. Fowler, who Grand Jury after pleading guilty to the saidhis patient is suffering from Bright's charge of smuggling, was vacated yesterdisease, valvular disorder of the heart day afternoon by Judge Hand of the and arteriosclerosis, has not been going United States District Court. The sub-

Mrs. Jenkins accompanied Allen on the Dr. Fowler had advised Mr. Morse European trip which culminated in trict Attorney and Brandt's lawyers to ever since he came to town that he needed charges of smuggling against Allen and agree to an adjournment of the proa sea trip, as the city air was not doing John R. Collins of Nashville, Tenn Both

will be on hand when the ship sails to-day | Judge Hand held that Allen was priv. | be had. Justice Gerard would not critiand will consult with the ship's surgeon | ileged when the State court attempted to

Adams and Mrs. Edwin Luckenbach will Atlantic City Hotel Owner Wins Over Wife, Who Accused Him.

Keenen, part owner with Marstin of Justice Gerard alone, Mr. Whitman says case yesterday and Supreme Court Just the District Attorney for a new trial, and tice Newburger granted a decree to Mar- Judge Rosalsky's action will have no the transactions of Morse and the Heinzes and she was drawing alimony from her and also to permit Alton B. Parker to inhusband last August some one fired a form the public that Mr. Schiff does no Bullows, counsel for the plaintiff, said he shot through the window of a cottage at resist a reopening of the case and a couldn't say yet what the complaint will Long Beach which was occupied by Bar- thorough investigation.

> who was making only a formal defence which he purposes to lay before the Grand to the suit against him, engaged detectives Jury to-day. It involves the preparation and finally put in a counter claim for of The testimony showed that for three

month apartment at 31! West End avenue. the rent of which was paid by Schatz.

SAY HE'S FRANK H. PARTRIDGE. Cable From Nice Tells of American's Arrest for Giving Bad Checks.

A cable despatch from Nice says that the Frank Partridge who has been arrested there charged with obtaining money under false pretences in that he cashed \$3,000 worth of checks on the Guaranty Trust Company of New York which checks came back unpaid, is Frank H. Partridge, who is a member of the Union League and other New York clubs. Frank H. Partridge and Mrs. Partridge have an apartment at the Spencer Arms

on Riverside Drive but have been abroad objections. the offices of the Guaranty Trust Company that "F. H. Partridge of the Union League signed by Mr. Partridge that consider-ably exceeded the amount of his balance were received by the trust company. Mr. Towns's motion for a vacation of Notice was sent, but as the bank heard iggment and for the ordering of a new

Columbus, Ohio, Feb. 13. By a vote of 16 to 1 the suffrage committee of the constitutional Convention to-night decided to report a proposal for equal suffrage in Ohio.

At the final hearing a group of Cincinnati and Columbus women appeared to antagonize the proposal. Among them was Miss Elizabeth Parsons of Columbus, and the convention of the checks of the proposal Among them was Miss Elizabeth Parsons of Columbus, and the convention of the checks of the proposal Among them was Miss Elizabeth Parsons of Columbus, and the convention of the checks of the fight against him Mr. Partridge had been arrested in November, 1810, and been arrested in November, 1810, and were satisfied that Judge Rosalsky had nothing from him it was obliged to refuse to honor the checks. The seems fair to assume, said and arranged for a despendent of the bank, what are the bank heard to honor the checks. The seems fair to assume, said and that a delay was necessary and that such action by Judge Rosalsky would be merely a courtesy shown to Justice Observation of the checks. The seems fair to assume, said and that a delay was necessary and that such action by Judge Rosalsky would be merely a courtesy shown to Justice Observation of the checks.

At the time of Collector William Loeb, Jr. is exclusion from the Union League Brandt's case, Attorney-General Carmody and District Attorney Whitman work of the control of the position of the bank was said what Mr. Partridge had been arrested in November (1910) and proposal to hence the checks.

At the time of Collector William Loeb, Jr. is exclusion from the Union League Brandt's case, Attorney-General Carmody and District Attorney Whitman was the bank was obliged to refuse to heart and for the bank in the had arranged for a design of the bank was obtained to heart and for the bank and and proposal that a delay was necessary and that such action by Judge Rosalsky would be merely a courtesy shown to Justice Observation of the bank was assume. The seculation of the bank and arranged for a delay was nec

BRANDT INQUIRY

PRICE TWO CENTS.

Begin All Over Again and Report.

Habeas Corpus Proceedings Result in a Commitment Here.

ROSALSKY'S NEW MOVE

Alton B. Parker Makes a Speech in Court and Judge Grants a Second Trial.

COURTAGREEMENTIGNORED

Rosalky's Action a Surprise-He Defends Himself-Schiff Asks for Full Investigation.

For Folke E. Brandt justice and freedom On the verge of pardoning the man who has spent five years of a thirty year sen legal tangles by appointing Supreme Court Justice Gerard special commissioner to determine whether Executive clemency should be used.

The Governor came to a decision yesterday when Attorney-General Carmody. after talking with Justice Gerard and Dis trict Attorney Whitman, told him flatly over the long distance telephone that the people were demanding justice for Brandt and that none but he could give the appointment of Justice Gerard as

special commissioner. Gov. Dix's order reached here toward the close of a day of surprising court procedure in which Judge Otto A. Rosalsky. after hearing Alton B. Parker speak for to drop in unexpectedly at moving picture Mortimer L. Schiff, overrode Justice Gerard's request that the Court of General Sessions delay decision on the application for a new trial until the Suprem Court had decided whether the writ of habeas corpus which Justice Gerard had been considering, should be sustained or granted, and reversing his whole position as regards Brandt, vacated the former

before him.

JUSTICE GERARD SHOCKED Judge Rosalsky's action was taken despite the protest of the District Attorney and Mirabeau L. Towns, counsel for Brandt. It was a shock to Justice Gerard. The Justice himself requested the Disceeding before Rosalsky and was assured by them that such a postponement would cise last night the course taken by a fellow Judge, but it is known that there will be contempt of court proceedings if anybody attempts to take Brandt out of the

Tombs without Justice Gerard's consent The District Attorney, in agreement with the Attorney-General and the counsel for Brandt, says that Judge Rosalsky has Mrs. Cecil Marstin, who sued her hus- no power to reopen Brandt's case and band, Almerin Marstin, for divorce on that the whole proceeding was farcical oany, which is liquidating the assets of the ground of pasconduct with Mand L. so far as its legal effect is concerned Young's Hotel in Atlantic City, lost her may remand Brandt to the custody of stin on his counter claim against his wife. further effect than to give the Judge, a While Mrs. Marstin's suft was pending chance to defend his record on the bench

nett Schatz, proprietor of the University | Not the least sensational developmen Place Auction Rooms. Mrs. Marstin was yesterday was the news that the District WILL HAVE TO GO TO SCHOOL. in the cottage at the time, and Marstin Attorney has evidence of a conspirace the report on Brandt's various employments-a report made to order

> as the District Attorney believes. The Grand Jury will be asked by the District Attorney to find out whether Howard S. Gans, Schiff's atterney in th Brandt prosecution, suggested to the police that an unfavorable report on Brandt's character would be a useful document to have around. The District Attorney has certain extraordinary letters

in his possession. The first proceeding in the case wabefore Justice Gerard yesterday morn ing at 10:30 o'clock. At that time Warden Harry W. Kaiser of Clinton prison produced Brandt before Justice Gerard in obedience to the writ of habeas corpus got out by Mirabeau L. Towns. Justice Gerard listened to argument by Mr Towns that the writ should be sustained and heard Attorney-General Carmody's

WANTED ROSALSKY TO POSTPONE ACTION Justice Gerard took the decision under advisement, committed Brandt to the Club" had had an account for several Tombs and then conferred with the At years at the Fifth avenue branch of the torney-General, the District Attorney company. Recently, it was said, checks and Mr. Towns as to the advisability of

had been arrested in November, 1910, and indicated by a Vermont Grand Jury on a charge of smuggling \$2.200 worth of no power to reopen the case and to invade goods into the United States from Canada. the jurisdiction of the Supreme Court